



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_X Case No.: 21 MC 102(AKH)

**IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION**

\_\_\_\_\_X **STIPULATION OF DISCONTINUANCE AS  
TO DEFENDANT, NEW YORK CITY  
ECONOMIC DEVELOPMENT  
CORPORATION ONLY**

**THIS DOCUMENT APPLIES TO ALL LOWER  
MANHATTAN DISASTER SITE LITIGATION**

\_\_\_\_\_X

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant **NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION**, only as to the claims being made as to the premises located at One Liberty Plaza, New York, New York and 76/78 Trinity Place, New York, New York shall be and the same hereby are discontinued without prejudice and without costs to any party as against the other.

**IT IS FURTHER STIPULATED AND AGREED** that should evidence be discovered throughout the court of the litigation which determines that the **NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION** is proper party to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York  
July 12, 2007

**McGIVNEY & KLUGER, P.C.**  
Attorneys for Defendant  
**NEW YORK CITY ECONOMIC  
DEVELOPMENT CORPORATION**

**WORBY GRONER EDELMAN & NAPOLI BERN, LLP**  
Attorneys for Plaintiff(s)

By: \_\_\_\_\_

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New York, New York 10004  
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By: \_\_\_\_\_

Christopher R. LoPalo (CL- )  
115 Broadway 12<sup>th</sup> Floor  
New York, NY 10006  
(212) 267-3700

**SO ORDERED:** 8/7/07

U.S.D.J.

Piotr Porowski (And Wife, Malgorzata Porowski)	06CV3850
Maria Puma	07CV01688
Natalia Quintanilla (And Husband Gerardo Quintanilla)	06CV1341
Jesus Quizhpi	07CV4509
Igbalija Rugovac (And Wife, Rugovac Sadik)	07CV1524
Edwin Sarmiento (And Wife, Nora Sarmiento)	07CV4515
Maydi Sarmiento	06CV6521
Gertrudis Savage (And Husband, Edward Savage)	05CV9951
Alfonso Serrano	07CV1703
Jerzy Slesicki	06CV6814
Miroslaw Szpanielewski (And Wife, Aleksandra Szpanielewska)	06CV11532
Jose Vasquez (And Wife, Liliann G. Vasquez)	06CV2708
Severo Vega (And Wife, Lila Gonzalez)	07CV4521
Alejandro Vera	07CV4522
Kleber Villarruel (Paredes)	06CV13703
Malgorzata Grabowska	06CV4885
Robert Sparano (And Wife, Theresa Sparano)	07CV05388
David Reynolds (And Wife, Katherine Reynolds)	07CV3446
Josef Borkowski as administrator of Jan Pietraszkiewicz	06CV2527
Leonard Gawin (And Wife, Mirosława)	07CV01619
Pancr Diaz (And Wife, Rosa Diaz)	07CV05351
Rosa Diaz, (And Husband, Pancr Diaz)	07CV05352
Flora B. Davila	07CV4463
Vincent Ciarmella	07CV05343
Sime Begonia (And Wife, Silva Begonia)	07CV05338

DEFENDERS NAMES	
John Abati	07CV05333
Luis Adriano	07CV4445
Luis Aguilar (And Wife, Maria Aguilar)	06CV12701
Enrique Ali	07CV01554
Raul Alivar	05CV9821
Fabio Arbelaez	05CV10747
Arturo Arias (And Wife, Marilyn Quintana)	07CV05274
Julio Arias (And Wife, Jane Arias)	06CV1340
Angel Asmal (And Wife, Gloria Asmal)	07CV1461
Luis G. Avila	07CV4450
Ivan Ayala	07CV1446
Andrzej Backowski (And Wife, Zofia Backowski)	07CV01565
Alexander Bajguz (And Wife, Maria Bajguz)	06CV2528
Sandra J. Bequero	06CV14486
Hector Barroso	07CV4452
Hector Betancourt	07CV4453
Wiktor Borowiecki	07CV4455
Bolivar Calvinagua	07CV01573
Juan Calvinagua	07CV01574
Ana Patricia Cantos	05CV1272
Maria Chauca (And Wife, Jose Chauca)	07CV1482
Nancy Criollo (And Wife, Lawrence Zenteino)	07CV4462
Zamilda Cruz	07CV01598
Cifuentes Del Pilar	07CV01590
Talia Flores	07CV1609
Dzile Frangu (And Husband, Nazmi Frangu)	06CV14660

Edgar O. Galvis	06CV3422
Jesus Garces (And Wife, Elvira Garces)	07CV061615
Joseph Garcia (And Wife, Carol Garcia)	07CV1500
Sixta T. Garcia	07CV05292
Sonia Garcia (And Husband, Christian Chavez)	07CV05358
Margarita Gil	07CV4470
Antonio Guerrero	07CV05294
Rodolfo Guevara	06CV3301
Carlos Guzman	06CV2884
William Hurtado	06CV10781
Ecuador Intiango	07CV4475
Janusz Jakubowski (And Wife, Krystyna Karpinska)	06CV14741
Wieslaw Kolodziejczyk (And Wife, Janina Kolodziejczyk)	07CV4479
Edward Kosowski (And Wife, Elzbieta Stefanaka)	07CV05299
Kazimierz Kukacki (And Wife, Kukacka Kukacki)	06CV14781
Antoni Kurak	06CV4376
Ana Lascano	<del>06CV9933</del> 05 CV 9833
Oswaldo Lopez (And Wife, Elvia V. Lopez)	06CV14807
Mariana Maldonado	06CV1786
Juan Mendez (And Wife, Karen Mendez)	07CV01664
Wilson Moran (And Wife, Gloria Moran)	06CV12341
Luis Naranjo (And Wife, Rosa Naranjo)	05CV10738
Pilar Olivo	07CV061
Carmen Padilla	05CV9822
Krzysztof Pajak (And Wife, Ewa Pajak)	07CV4502
Rolando Pelaez (And Wife, Monica Villamarin)	07CV4507
Jose Peralta	07CV01683